

Atty. Dkt. No. 071949-1307

DAC

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Kenneth F. Buechler

Title:

DIAGNOSTIC DEVICES AND

APPARATUS FOR THE

CONTROLLED MOVEMENT OF

**REAGENTS WITHOUT** 

**MEMBRANES** 

. Appl. No.:

09/613,650

Filing Date:

July 11, 2000

Examiner:

Alexander, Lyle

Art Unit:

1743

# I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below. Vanessa E. Agha (Printed Name) (Signature) June 15, 2006 (Date of Deposit)

CERTIFICATE OF MAILING

### **TRANSMITTAL**

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Non-Final Office action mailed February 7, 2006, in the aboveidentified patent application, transmitted herewith is a copy of the response in compliance with 37 CFR 1.111.

### Enclosed are:

- [X] Petition Under 37 §§ 1.181 or 1.182 to Accept a Filing as of it's Date of Facsimile Transmission in Accordance with 37 CFR §1.8 (3 pages).
- [X] Copy of Response filed on May 8, 2006 (21 pages).
- [X] Communication Result Report of Facsimile Transmission (1 page)
- [X] Return Postcard.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date

FOLEY & LARDNER LLP

Customer Number: 30542

Telephone:

(858) 847-6722

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(858) 792-6773

Richard Warburg, Reg. No. 32,327

By Barry S. Wilson, Reg. No. 39,431

Attorney for Applicant



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Alexander, Lyle

Art Unit:

1743

# AMENDMENT TRANSMITTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ X ] Response to Office Action (12 pages).
- [X] Information Disclosure Statement (3 pages).
- [X] PTO Form SB/08 (1 page).
- Credit Card Payment Form (1 page). [X]
- Assertion of Small Entity status is enclosed.
  - [X]The fee required for additional claims is calculated below:

CERTIFICATE OF FACSIMILE TRANSMISSION  I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.				
Vanessa E. Agha				
(Printed Name)				
Vorison & Gre				
(Signature)				
May 8, 2006				
(Date of Deposit)				

	Claims .		Previously		Extra Claims				Additional
	Amended		Paid For		Present		Rate		Claims Fee
Total Claims:	50	<del>-</del> .	73	=	0	х	\$50.00	=	\$0.00
Independent Claims:	2	-	9	=	0	x	\$200.00	=	\$0.00
First p	oresentation	of an	y Multiple I	Depen	dent Claims:		\$360.00	=	\$0.00
					CLAIM	S FEE	E TOTAL	=	\$0.00

[ ] Extension for response filed within the first month:	\$120.00	\$0.00		
[ ] Extension for response filed within the second month:	\$450.00	\$0.00		
[ ] Extension for response filed within the third month:	\$1,020.00	\$0.00		
[ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00		
[ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00		
EXTENSION	N FEE TOTAL:	\$0.00		
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00		
CLAIMS, EXTENSION AND DISCLAIME	R FEE TOTAL:	\$0.00		
[ ] Small Entity Fees Apply (subtract ½ of above):				
[X] IDS Fee in Accordance with 37 C.	IDS Fee in Accordance with 37 C.F.R. § 1.17(p):			
	TOTAL FEE:	180.00		

A credit card payment form in the amount of \$180.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit

card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

FOLEY & LARDNER LLP

Customer Number: 30542

Telephone:

(858) 847-6722

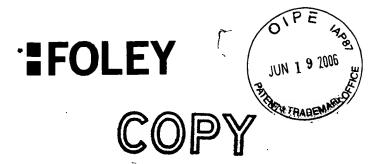
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Richard Warburg, Reg. No. 32,327

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Attorney for Applicant



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WWW.FOLEY.COM

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### ORIGINAL WILL NOT BE SENT

# Total # of Pages 21 (including this page)

TO:	PHONE #:	FAX #:
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Mail Stop Amendment		571-273-0814
Examiner: Alexander, Lyle		3/1-2/3-0014
Art Unit: 1743		

From: Barry S. Wilson

Email Address: bwilson@foley.com

**Sender's Direct Dial**: 858.847.6722

Date: May 8, 2006

Client/Matter No: 071949-1307

User ID No: 3067

Serial Number: 09/613,650

Our Docket Number: 071949-1307

**MESSAGE:** 

Please find enclosed:

Transmittal (3 pages);

Response to Office Action (12 pages);

Information Disclosure Statement (3 pages);

PTO Form SB/08 (1 page);

Credit Card Payment Form (1 page).

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